

**NEW JERSEY NOISE CONTROL COUNCIL (NCC)**  
**MARCH 10, 2020**  
**MEETING MINUTES**

**ATTENDEES**

*NCC Voting Members:* Arnold Schmidt (Chairman, Public Member), Randy Hauser (Department of Labor), Eric Lieberman (Department of Health), John Lago/John Donadio (Alternate) (Department of Community Affairs), Joseph Lepis (Public Member, Civil Engineer), Dr. Iris Udasin (Public Member, Medical Doctor)

*Rutgers and NJDEP Representatives:* David Triggs (NJDEP Liaison to the Council) and Michelle Feasel (NJDEP Co-Liaison to the Council).

*Public:* No one present.

**MEETING MINUTES**

The NCC did not have a quorum, so the approval of the Draft January and February Meeting Minutes was tabled.

**CHAIR REPORT**

- Chairman Schmidt sent an email to the Governor's Deputy Chief of Staff, Deborah Cornavaca, whom he met at a League of Conservation Voters meeting, about the status of the NCC's member appointments and reappointment's memo. He has not heard back from her.
- John Donadio has recently started working at the Department of Community Affairs (DCA) and joined current DCA representative John Lago at the NCC meeting as a potential alternate when Mr. Lago cannot attend. He described his background and explained why he decided to attend the meetings. Mr. Donadio has an undergraduate degree in Economics and is currently scheduled to get his master's degree in planning within the next few months.
- David Triggs handed out a copy of an email that the DEP attorney assigned to review N.J.A.C. 7:29 sent to him regarding questions she has on the draft amendments. Mr. Triggs will forward the email to the 7:29 subcommittee for their input. He also suggested that the subcommittee meet with the attorney as a group rather than responding individually through e-mail. Mr. Triggs reviewed the process for amending N.J.A.C. 7:29. John Lago stated that he is working on a rule for DCA that is currently at the Governor's Office and that the process is complex and lengthy.

**OLD BUSINESS**

No old business was discussed.

**NEW BUSINESS**

- The City of Patterson is in the process of amending their Model Noise Ordinance to exempt the Islamic call to prayer or Adhan. Currently Bells, Chimes or Carillons used in

conjunction with religious services are exempt. The Islamic call to Prayer uses a microphone or speaker up to five times a day to project the human voice. The amplified human voice has never been exempted under N.C.A.C. 7:29. Chairman Schmidt recalled the events that lead to the last time the religious services exemption was changed. David Triggs submitted the issue to the Department's DAG for their legal opinion. He pointed out that other events such as sports, political gatherings or concerts could challenge the exemption if the amplified human voice is permitted during the Adhan. Eric Lieberman added that the "Freedom of Religion" gives more protections than "Freedom of Speech." Mr. Triggs also noted that all of the other amendments proposed are technical in nature, and if it was changed, it would be considered a substantial shift in policy.

- *Raritan Zoning Issue* - Residential homes were constructed on a commercially-zoned plot. Residents who moved in allegedly had to sign a waiver stating that they knew that they would be near an Industrial zone. Regardless, the residents are complaining about the noise and want to file a noise complaint, even though they signed the waiver. Mr. Triggs is still waiting for them to send him a copy of the waiver so that he can send it to the Department's DAG for legal advice.
- Mark Roskein (Candidate Members Pending approval by the Governor's Office) has missed several meetings due to medical issues and having scheduled doctor's appointments during regular meeting times. Chairman Schmidt called Mark to discuss this issue. Mr. Roskein was confident that once his appointment is approved, he will be able to attend more meetings.
- Joseph Lepis handed out an agenda for the Newark Liberty International Airport Community Roundtable meeting. The March meeting was cancelled due to the Coronavirus.
- *Model Noise Ordinance Revisions*: Scott Henrick's (a member of the public who attended the February meeting) sent an email with some possible amendments to the model. He said he would attend the March meeting to discuss his ideas but was not in attendance.

### **PUBLIC DISCUSSION**

There was no public discussion.

### **EXECUTIVE SESSION**

The NCC did not meet in Executive Session.

Joseph Lepis reminded everyone that we should keep an eye out for alerts about holding public meetings in the wake of the Coronavirus.

Eric Lieberman motioned to adjourn the meeting and Randy Hauser seconded. All were in favor, so the meeting ended.

### **NEXT MEETING**

The next meeting is tentatively scheduled for Tuesday, April 14<sup>th</sup> at 9:30 A.M.

Respectfully submitted by Michelle Feasel with edits by David Triggs, NJDEP Liaisons to the NCC.